G. R. S. 58]

Previous references.

Ch 179-12
Ch 114-09
Ch 212-10

File No. 110-12

1912.

Serial Nos. 1, 1a 2

(Courts)

Later references.

Cf 155-14
Confl no 179 (Vol II)
Cls 285-16 (1-2)

There is a sealed cover in the file Miscellaneous papers are placed in a "filed" cover separately

Cf 216-15-1 to 4 (Comptly) 22/8/14

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 1, 1a, & 2

Part B for April 14

SUBJECT.

Confirmation of Messrs B. Nagappa and B. Subbanna as Sub judges.

---

1) From the Registrar Chief Court no 1738/121 dt 22 Nov 1912

Recommends the confirmation of Mr B. Nagappa as Sub judge

(2) The Registrar, Chief Court, Comptroller no 12279-30 dt 3.2-13

Directs the Comptroller to pass the pay of Mr Nagappa

GPB—5,000—22-10-10

P. T. O

Sadasivan 28/8/14

C. 161
15. 1. 13

G.R.S. 11] 1912-13

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

Cls File No. 110 - 12.

FILE HEADING.

Confirmation of ~~Mr. B. Nagappa~~ Sub Judges.
~~Bangalore~~

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—30,000—12-8-11

G.R.S. 131

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

1) How stands the question of Mr Wajahat's Confirmation

2) Where is the Receipt Note on the subject

3) Please put this up again above referred. Immediate. 7/11

4) Secretariat file is submitted for the Question of ~~Court~~ Mr Wajahat's confirmation has not yet been taken up as there has been no official reply from the Chief Court about it. I understand that a communication from the Chief

N B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—35,000—21-4-09

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Court as the subject may be expected in a day or two.

5) Mr Nagappa's period of probation (which is for 3 years) expires on the 10th inst and his Guardian & his confirmation can may be taken after that ~~day~~ date."

6) Mr Nagappa who saw me today seems to be anxious that he should be confirmed from the date of his first appointment ~~to~~ ~~his~~

28
9/11/12
Dewan

7) Let the initiative be

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—25,000—11-11-11.

Jpmis 42-12

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

it taken here in this
as in other cases if the
questions mentioned
referred (within DC
specially)

8.) Dr Nagappa's record
& patients having
Enquired please inform
him enq. cards for them
opinion about his confinement
Drugs to be submitted in 1st Case

12/4

9.) Rubinpdeaff

12/4/12

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—25,000—11-11-11

R. S. 12]

5

General and Revenue Secretariat. | Cs File No. 110 of 1912-13

Serial No.	
10	Draft Subd. Mr. Nagappa assumed Charge of his Office in the forenoon of the 10th November 1909. [~~Should matter~~] ~~Secs 122~~ 14-11-12. SW (11)
	Sd 14/11/12
1032 11	1st Cy Mr. Nagappa's ~~Secs~~ Case is under Consideration in the Ch Ct. His impatience has made him apply to Govt direct. A Commn will be sent from the Ch Ct in the Course of 4 or 5 days. This may be Kept by till it is received. 17/11/12
	B 11 18/11

NOTE—Contn. sheet.

GPE—6[illegible],000—17-6-12.

19/11/12

R. S. 12]

General and Revenue Secretariat.

CS File No. 110 of 1912-13

Serial No. 1

From the Registrar, Chief Court.
N° 1738 dt 22.11.12.
121

States that the Chief Court recommend that Mr B. Nagappa may be confirmed as a Sub-Judge.

12
Subd The period of Mr. Nagappas probation expired on 9.11.12.
Ack 12
25-11-12

[Subordinate Matter]

SW
26/11

26/11/12 Sd

13
Sec) Please note when Mr Bhabha (Subordinate) resigned. his Service Papers relating to his resignation may be put up.

23/11.

CS

SH
7/11/

14
Subd. Mr. J.H. Bhabha is regarded as having resigned his appointment with effect from 13.4.1910. (Please see Govt. Progs. N° J 3169-71 etc 230-09-1.

PJ 0

NOTE—Contn. sheet.

GPE—61,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

Cls File No. 110 of 1912-13.

Serial No.	
	dated 23rd (dem). The Connected file
Flag Z.	Hcs-122 is put up and Subs.
	27-11-12. SN.
	28/11
	28/11/12
	Sd
	Sir,
	1st Connector
	28/11
	29/11/12
	Sd
15)	I think that Mr. Nagappa
	may be confirmed with
	effect from the date that
	Mr. Bhabha resigned. Please
	Consult Br. II as to the Cor-
	rectness of this under Mis.
	Regns.
	30/11/12
	28
Hcs-5-97	2/12
RSt.	16) To Br II for favour of opinion
	3/12/12
	Sd

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

cls File No. 110 of 1912-13.

Serial No.

7 Mr Bhabha had lien on his appointment till he resigned. (Vide art: 138(b) MSR). So Mr Nagappa can only be confirmed from the date Mr Bhabha resigned.

Sd/-
4-12-12

8 Bom. There was no period of probation attached to his service, there would be no occasion to confirm Mr Nagappa from the date Mr Bhabha resigned. But as he had to put in three years' probation, his confirmation can only date from the day of completion the period of probation. Next the place was substantive & vacant & immaterial, and confirmation from 11th Nov'12 gives him the advantage of counting the period from 1910 the date of Mr Bhabha's deputation as qualifying for pension & to confirm him from the date of Mr Bhabha's deputation would not & lawfully the Government alone probation but would prejudicially affect the claim position of all Bth Govt who have got into the first class list 11th Nov'12

Sd/- H. E. H. M.

9 Under art 253 M. S. R. the whole service of Mr Nagappa from the

NOTE—Contn. sheet.

Serial No.

date of his joining 10. 11. 1909 counts for pension.

20) Questions of counting time for increment do not arise as Rs 450/- is the pay of Asst Commr first class.

21) The only point to be settled therefore is that of seniority for future promotion &c. For this it would not be unreasonable to place Mr Nagappa just below the officer who was last in the list of permanent Assistant Commissioners on 10. 11. 1909.

22) Mr Nagappas probationership was not an apprenticeship like the terms of Revenue Probationers, Probationary Asst Commrs &c during which employees learn work at Govt expense. He began to discharge the duties of the sanctioned appt from the date of taking charge and we have the weighty opinion of Sir Stanley Jones that he did good work. His probation was like the probation, for instance, of Educational officers got out from England. Such probation simply means that right is reserved to Govt to terminate the employment at the end of the probationary period; but if that is not done the officer is treated

H. mls 597-12

NOTE—Contn. sheet.

GIP—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat. | CS File No. 110 of 1912

Serial No

as permanent for all purposes from the beginning of his service.

H. mil 597-12

Br III)

M 8/12/12

10/XII/12

Subd

SN 14/12/12

SD 13/12/12

Sec)

1st Councilor

Criminal matters

23 13/12

SD 18/12

23) Mr. Nagabha may be confirmed from date of Mr Bhabha's resignation (13.4.10). If from date of assuming charge he will go over three ~~&~~ four Officers; as now proposed over are Offr (Mr. Y. V. Krishnamachari)

NOTE—Contn. sheet.

GPB—20,006—20-1-12

[R. S. 12]

General and Revenue Secretariat.

Cls File No. 40 of 1912.

Serial No.

This will be of some importance if Senior Asstt Cr's places are to be filled up. But as Sub. Judges are likely to be regarded as a separate independent class hereafter, it will be absolutely without any significance from which date his Confirmation is made. Whether Confirmed or not, he will Count Service for Pension from date of his beginning to act as Sub. Judge.

20/12/12

600
23.12.12

Drewan

23/12/12

24 The papers may be circulated to the 2nd Councillor & brought up with next meeting of Council

14.1.13

2nd Councillor

15/1/13

16/1/13

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

[7. R. S. 12]

General and Revenue Secretariat.

Cls File No. 110 of 1912-13

J. Mis — 88.

Serial No.

1st Councillor's Remarks on a D.O. from the Dt. Judge Bowcalne, re Mr Nagappa's pay:—

26 " Jndl — I was under the impression that an order had been issued to pass Mr. Nagappa's pay till further orders. It may now be issued at once ".

(Intd) H. V. N. 1-2-13.

For immediate action (Intd) K. R. S. 2/2

27 Subd with a draft order as directed by the 1st Councillor. The file about Mr Nagappa's Confirmation was subd to Dewan on 23-12-12.

SM 3/2/13.

Dy fer.) SPR 3.2.13

28 May the proposed order issue?

Secy) Draft and Secy 3/2

29 Yes please.

LB 3/2.

30 After issue, this may be submitted for the perusal of the 1st Councillor & Dewan.

LB 3/2

Draft SPR 3.2.13

1(a) To the Regr. Chief Court & Comptr.

No: 2229-30/Cls 110-12-2 dated the 3rd February 1913.

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

[G. R. S. 12]

General and Revenue Secretariat.

Ch File No. 110 of 1912

Serial No.

Authorises the Comptroller to pass the pay of Mr. Nagappa at Rs. 45 a month pending orders after his confirmation.

31 Subd to 1st Councillor & Dewan for perusal.

SW 4/2/13

1245 6.2.13

4/2/13

5/2/13

2 Secy 11.2.13 RC

Pass bill if otherwise bill is received 13/2

12/2

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

Cb File No. 110 of 1912

Serial No.	
33	Note for the next Council meeting 12 16/2/13
Do	

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

15.

R. S. 12]

General and Revenue Secretariat. | ch. File No. 110 of 191 2

Serial No.	
	Dy 16th April 13 from the Chief Justice & the 1st Counsellor riding a copy of Chief Court Proc. dy 8th April 13 on the supplementary ~~proceedings~~ in Nagappa in connection with Civ. Cm. No. 22 of 1912-13 (S. N. Ramachandra Naidu v. Madhakka Shanbhagitti) for the Hon. Dist. Judge of Bangalore.
Please see a letter cover on Orders of the Hon'ble Counsellor	
	19/4/13

NOTE—Contn. sheet.

GPE—65,000—17-C-12.

G.R.S. 13.]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

34 The further report about Mr. Nagappa Venkatappa) pursued from Cheef Judge's letter of 16th April. can has not yet been received may a reminder be sent to the Cheef Judge?

1st Cancelled

9/8

35 I believe the D.J. has sent his final report only lately. You may wait for some time longer.

9/8/13

9/8

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—25,000—23-7-12

G. R. S. 12]

General and Revenue Secretariat. | Ch File No. 110 of 1912

Serial No.	
	36 The report promised by the chief judge about Mr Nagappa has not been received yet.
	37 The draft reminder herewith put up may be issued, if approved. ZB 24/10/13
	1st Councillor
38	Draft reminder approved by 1st Councillor. MR 27.10.13. C. Secy. Issue at once. Z 27/10
	To the Chief Judge, Bangalore. D.O. No 192 & 27. 10. 13. Requests him to intimate when the further report promised by him about Mr. Nagappa may be expected to be received.
	From, The Chief Judge, Chief Court of Mysore, D.O. dated 3. 11. 1913. With reference to the last para of his D.O. of 16. 4. 13 states that the matter referred to therein has been disposed of, absolving Mr. Nagappa

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

'G. R. S. 12]

General and Revenue Secretariat. | Ch File No. 110 of 1912

Serial No.

from all blame in the matter of the loss of the promissory note; and forwards for the information of Govt: copies of Proceedings passed by the Chief Court in this matter; and also in another case in which certain unfavorable remarks were ~~passed~~ made against him.

3 Submitted for orders. The D.O. dated the 16th April 1913 referred to by the Chief Judge in the paper under disposal, is kept in the sealed cover along with this file.

RR
4.11.13

4 Submitted for orders

4/11

1st Councillor

5 Dist Councillors note is in the cover.

HT
29.12.13.

Dewan)

Dy Augr Genl
29/12

6881
30.12.13

6 The case may be considered at an informal meeting of Council.

3.1.14. RG

NOTE—Contn. sheet.

GPB—65,000—17-9-13

G. R. S. 12]

General and Revenue Secretariat.

C/o File No. 110 of 1912.

Serial No.

43 Draft order ✕ be submitted for approval

Zn 8/4

Dewan

Hon'ble Members

44 I do not understand what warning is meant. So I have not initialled the draft.

8/4/14

Zn 8/4 9/4/14

45 Draft notification and draft letter approved by the Dewan with slight alterations.

46 The Dewan desires that the substance of this letter to the Registrar should be recorded in the Officer's personal file in the Council Section.

47 Confidential papers are placed in a Sealed Cover.

48 The file may kindly be regarded as Strictly Confidential.

By Order

25/4/14

49 To be issued today

Zn 25/4

50 C.S. can do this. He may initial

25/4

NOTE—Contn. sheet.

GPB—60,000—7-11-13

Serial No.

2. To, The Compiler, Mysore Gazette,
Notification No J. 3113 & 27. 4. 14.
Gazette of 30-4-14 Pt I pg 346
Notifies the confirmation of Messrs B. Nagappa and B. Subbanna as Sub Judges with effect from the 10th November 1912 and 26th november 1913 respectively

To, The Registrar, chief Court,
No J. 3114 & 27. 4. 14.
Forwards a copy of the above for information.

To, The Registrar, chief Court,
No J 3115 & 27. 4. 14.
Requests that, if the Judges see no objection, Mr. Nagappa may be confidentially warned that, should he give room again for complaints as regards his official work and conduct in future he is liable to be superseded.

SR The two drafts have been issued and the substance of the letter to the Registrar has been entered in the Confidential Register. submitted with reference to the Offg Secy's orders on the previous page SR May this be recorded as a 'B' Collection in Branch III

Subs herewith for perusal.

28/4 dd

B 28-4-

NOTE—Contn. sheet.

VS 28-4-14

GPB—60,000—7-11-13

SR Yes Done 28/4

No. 1738 Revenue. 121

(1

Bangalore,
22nd November 1912.
22nd/

From

The Registrar of the Chief Court of Mysore.

DIARY No. 1387
1912-1913
SECTION C5
FILE No. 110-12
SERIAL No. 1.

To

The Secretary to Government,
General and Revenue Department.

Sir,

Ch 114-09-1
V.

Adverting to your memo No. G 2 dated the 7th November 1909 I am directed to recommend that Mr. B. Nagappa, Bar, at law, who has worked satisfactorily during his three years' probation may be confirmed as a Sub Judge. A copy of his letter to the District Judge of Bangalore on the subject is appended.

I have the honour to be,
Sir,
Your most obedient servant,

Registrar.

A.V.

87

(2)

Encl to Ch 110-12-1

Subordinate Judge's Court.

Bangalore dated 3rd October 1912.

My dear Sir,

I beg leave to state as follows :-

Under Government Notification dated 7th November 1909, No. G, I was appointed an Assistant Commissioner of the First @ class, Schedule B, Sub-pro tem, on probation for 3 years, and @ was posted to the Judicial Department for duty as Subordinate @ Judge of Bangalore, in place of Mr. J. H. Bhabha, Bar-at-Law who was then on leave without allowances and has since resigned his appointment.

On 11th March 1911, the Chief Judge in Mysore, forwarded for favourable consideration my application praying that I might be confirmed with effect from the date of my joining duty (viz 10th November 1909).

Thereupon the Government ~~was~~ were pleased to pass Proceedings dated 26th May 1911, No. J.3277-8/Cts.104 to 104 the effect that the question of my confirmation would be taken up for consideration at the end of the probationary period.

The probationary period expires on the 10th proximo and I fear that there may be a difficulty in passing my pay bill after that date.

I, therefore, pray that you will be so kind as to request the Chief Court to recommend my confirmation with effect from the date on which I joined duty (viz 10th November 1909).

Copies of the Notification and Proceedings referred to above are herewith submitted for ready reference.

To T. Paramasiva Iyer Esquire
District Judge, Bangalore.

I remain etc.,
Sd/- B.Nagappa.

" C o p y "

Registrar.

A.V. M.

Note

After the Confirmation of Mr. D. M. Narasinga Rau as Dy Secretary to Government there are two vacancies (Permanent) among subordinate Judges. The two subordinate Judges who have to be Confirmed in these places are Mr. Nagappa and Mr. Subbanna In ordinary Course Mr Nagappa comes over Mr Subbanna I have appended another Note Concerning certain matters affecting Mr. Nagappa which have been under enquiry. In

point of ability and experience, Mr. Subbanna is unquestionably superior to Mr. Nagappa. Taking all things (present position & future exigencies of the service) into consideration, I propose that these two Officers be confirmed from the same date as Subordinate Judges, Mr. Subbanna being placed above Mr. Nagappa

If however any doubt is entertained about the propriety of the order proposed, I

Nägappa's Case-

The charges made in petitions against Mr Nägabba (both anonymously and ~~direct~~ by name) are the following, and it may be assumed that the worst that could be said against him are all there.
(Anon. Pet^{n} d. 25-12-12)

1. Giving false age at the time of entering service.
2. Destroying wills pronounced & substituting others.
3. Committing breach of trust concerning Minor's property in a Case before him
4. Cheating a young man in Cantonment & purchasing a house for a nominal price.
5. Buying lands benami both out of & permission

6. Suppressing (destroying), forgd records & shirking responsibility.

7. Brick-kiln burning without licensed etc.

8. Bribery

9. Indebtedness & having decrees against himself for execution in his Court

The charges No. 1 & 2 were examined by Government, before the Semi-judicial enquiry lately reported on by the Ch Court. Mr. Nagappa had given his age incorrectly but on his application, Govt on the recommendation of the Ch Ct accepted his explanation & allowed the age to be corrected

On the question of mosts being torn up there was an anonymous petition, and Govt did not consider that any suspicion attached to

his Conduct, and that there was no reason to suppose that any ~~the~~ ~~post~~ which had been finally pronounced had been torn up.

On charge no: 3 the Ch. Court had the matter before them judicially and have altogether exonerated Mr Narayya of any blame. (

I We may accept this opinion.

Charge no. 6 refers probably the disappearance of a ~~pro~~ note out of a file relating to a suit. This has also been enquired into and no blame can attach to the Sub. Judge in Connection therewith.

On the other charges no enquiry has been made. Those marked d & g are either too indefinite or

or too remote from his official position and need not be enquired into at all.

No. 4 may be safely left to be brought forward by the party alleged to have been cheated. It is presumably spiteful. Nos 5 & 7 are not of such importance as the others, and are probably malicious distortions or exaggerations.

In dealing with some of these matters, the Chief Court have made certain remarks on the attitude of the District Judge, Mr. Paramasiwayer. We may accept the conclusions both on questions of law & on facts arrived at by that Court as sound. But I do

do not think that there is reason enough to hold that Mr. Paramaswaryar was led to form his conclusions by personal prejudice. There was nothing very unusual or improper in allowing Sristedar R. Iyengar to engage a lawyer, and Mr. Nagappa himself did not at first take objection to that course. Moreover Ex before the last stage of the enquiry, Mr. Paramaswaryar had acted on Mr. Nagappa's own report in ordering the Sristedar's dismissal. This however is all not material to the cases of Mr. Nagappa & his Sristedar, and need not be

noticed by us.

On the charges (as given in the anonymous petitions) on which no enquiry has been held, ~~as~~ it is open to us to take explanation from Mr. Narsappa and make further enquiry. But I can hardly attach much importance to them, and unless the Diwan considers further enquiry expedient, I would drop them out of consideration altogether

On one or two matters I must say I am not quite satisfied with this Appli's Conduct. On the question of age, I think he ought to have discovered his error long before he ~~did~~

actually did so; in the matter of taking Radhakrishna Pille as security and in subsequent dealing with the case he could have shown more care and vigilance; in the matter of arrears of work in his Court, he was wrong in reporting to the Dist Judge that all arrears upto 10th April 1915 had been cleared up, without making sure that it was a fact.

Some allowance should be made to him for his inexperience of official work when he started as Sub-Judge, and the other difficulties of his position as a Judge in a place where he had so many dealings as a lawyer and otherwise

From the very beginning I was urging that he should be sent to another station but my advice was not accepted

His work has been fairly and up to the average, and since he has been sent to Shimoga, I think that he will get on in service more satisfactorily hereafter. I think that he may now be confirmed in his appointment

27/12/13

DSwamy

Submitted to His Highness.

There are now two permanent vacancies in the grade of Subordinate Judges, one of which is held by Mr. B. Nagappa, Barrister-at-law and the other by Mr. B. Subbanna, B.A.,B.L.

2. Mr. Nagappa was appointed in November 1909 on probation for three years and the period of probation therefore expired in November 1912. Mr. Subbanna was appointed sub pro tem in February 1913.

3. Various allegations against the official conduct of Mr. Nagappa came to the notice of Government and the result of the inquiries instituted into them by the Chief Court are embodied in a note of the First Member placed on the file. He considers that no case has been made out to refuse confirmation and that Mr. Nagappa may therefore now be confirmed.

In view, however, of the superior ability and longer experience at the bar of Mr. Subbanna and of the exigencies of the service, present and prospective, he recommends that both the officers may be confirmed from the same date, but that Mr. Subbanna may be placed above Mr. Nagappa.

4. The Second Member is, however, of opinion that this proposal is unduly hard on Mr. Nagappa and that, as the highest Court in the State has exonerated him from all blame, he may be confirmed from the date confirmation was due and that his relative rank in the service should not be disturbed.

5. I am of opinion that both Messrs. Nagappa and Subbanna may be confirmed, the former from the due date and the latter from the date of the occurrence of

the second of the two vacancies. At the same time, I consider it necessary that Mr. Nagappa should be confidentially warned that should he give room again for complaints in future, he will be liable to be superseded in the service.

6. I solicit His Highness's gracious sanction to the recommendation.

M. Visvesvaraya
3.11.1916.

(3)

D O No 433

Confidential

Sauk View
Mysore
10th October 1909.

My dear Sir

With reference to your Memorial addressed to His Highness the Maha Raja from Cotacamund for an appointment in the Judicial Department of the State Service I am directed to say that His Highness the Maha Raja will be pleased to give you an opening in the Judicial Department if you are prepared to accept a Subordinate Judgeship on Rs. 200 [illegible]

pay for three years. The rules of the Mysore Civil Service may be interpreted as precluding such an appointment, but in the special circumstances of your case, His Highness will be willing to strain a point and to sanction the appointment if it be acceptable to you. You will get an initial pay of Rs 450 per mensem and you will be ranked as Assistant Commissioner, first Class. Future promotions will be regulated by Rule XII et seq of the rules relating to the Mysore Civil Service published in Government Proceedings No G 8139 dated 27th June 1907.

(5)

2 I shall be glad to hear at an early date that this offer is agreeable to you. It is well that I should state here that your entering service as above would preclude your taking an active part in Public Organizations like the Vakkaligar Sangha such as would involve your helping in the collection of subscriptions and in other ways incompatible with the independence and aloofness which should Characterize the position of Judge

Yours Sincerely
(Signed) T. Ananda Rao

B. Nagappa Esqr
Bar at Law

(1)

Confidential

Bangalore
6th November 40

My dear Sir,

Please refer to your letter of the 16th October about your appointment as Sub-Judge. I have to inform you that after due consideration of your request, the Government regret that they do not see their way to offer you better terms than those contained in my letter to you of the 10th October. You will for the present be appointed Sub-Protem in the place of Mr Bhabha who is not expected to return

to the Service. Pray think over the matter and let me know your final decision early and oblige

Yours Sincerely

(Signed) T. Ananda Rao

B. Nagappa Esquire
Bar at: Law

"Copy"

Nagappa
6. 11. 1912

(9)

No. 9

Mysore Government

General and Revenue

Secretariat

Dated Bangalore

7th November 1909

Note for item.

Mr. B Nagappa Bar-at-Law,
is appointed an Assistant
Commissioner of the First
Class, Schedule B, Sub pro tem,
and is posted to the Judicial
Department for duty as
Subordinate Judge of Bangalore,
in the place of Mr. J. H.
Bhabha Bar-at-Law on
leave without allowances

By order

Signed K. T. Chandra Sekharaiya

Secretary to Government

—

To

To

The Comptroller, Mysore Gazette.

Memo No. 9

Copy forwarded to Mr.
B. Nagappa with the intimation
that his appointment will
be on probation for a
period of three years.

By order
(Signed) K. S. Chendra Sekhara Iyer
Secretary to Government.

"Copy"

B. Nagappa
6-11-1912

(11)

Proceedings of the Government of His Highness the Maha Raja of Mysore

Read —

Memo dated 11th March 1911 of the Chief Judge in Mysore, forwarding for favourable consideration an Application from Mr B. Nagappa, Bar-at-Law, Subordinate Judge of Bangalore praying that he may be confirmed in his appointment with effect from the date on which he joined duty (viz 10th November 1909)

Order thereon No J 3277-8

Rs 212-10-4

dated Bangalore 26th May 1911

The question of Mr Nagappa's confirmation

will be taken up for consideration at the end of the Probationary period. He is however exempted from passing the Local Service Tests, which he, as Assistant Commissioner will have to pass under the Civil Service Rules viz Revenue Higher and Registration

Signed S. Hiriyannaiya
for Secretary to Government

Chief Court of Mysore
Bangalore

Dated 26/29 May 1911

No. 5135/3155 :

Copy forwarded to the Subordinate Judge of Bangalore for information

Signed V. A. Raja Ratna Mudaliar
Registrar

Copy
S. Nagappa
6.11.1912

at (13) 2/1/13

G.R.S. 28]

cli

File No. 110-12

Serial No. 4 (a)

*Diary No. of letter replied to*_____

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 191 .

~~READ~~—

Date of issue 3-2-13

Signed by ~~Hon~~ S. P. Rajagopalachar

ORDER ~~THEREON~~.—No. J 2229-30 Encl 6th

Govt are pleased to authorise the Comptroller to pass the pay of Mr. B. Nagappa, Sub Judge

over.

SUBJECT.

Bonus Salve at Rs 450 a month
pending ~~[illegible]~~ orders about
his confirmation

Sd
Offg Secretary 9/11/12

SN
8/11/13

To
The Registrar, Chief Court, returning
the ~~[illegible]~~ original D.O. correspondence.

" Comptroller, Mysore Govt.

D.O.no 192,

Confl

Bangalore, 27.10.13

My dear sir,

As the question of the confirmation of Mr.B.Nagappa has been pending engaging the attention of Government for some time, I am desired to request you to be so good as to intimate whether the matter referred to in the last para of your D.O. dated 16th April 1913 to Mr. Nanjundayya has since been disposed of by the Chief Court and when the communication therein promised may be expected to be received.

Yours sincerely,

25/10/13

Rao Bahadur

27/10

P.S.Krishna Rao, Esq.,
Chief Judge, Chief Court of
Mysore, Bangalore.

GOVERNMENT OF MYSORE

(16)

3/11/13

Bangalore.

3rd November 1913.

My dear Sir,

Your D.O. of the 27th ultimo.

The matter referred to in the last para of my D.O. the 16th April 1913 to the First Councillor, has been disposed of with the result that Mr. Nagappa has been absolved from all blame in the matter of the loss of the promissory note referred to therein.

2. In the course of the enquiry made in that case, it was elicited that the lower half of a document filed in the Sub Court in another case had been lost, and that no enquiry

(17)

enquiry touching the loss had been held by Mr. Nagappa. The Chief Court have passed certain unfavourable remarks against him in regard to this matter. Copies of the Proceedings passed in both these cases are enclosed for information of Government.

Yours Sincerely

P Krishnamachar

K. R. Sreenivasa Iyengar, Esquire, M.A.,

Secretary to Government.

Encl to the B.O. (18)

PROCEEDINGS OF THE CHIEF COURT OF MYSORE.

Bangalore, dated 31st October 1913.

Read docket No. 476/86 dated the 20th August 1913, from the District Judge of Shimoga, submitting the explanation of Mr. Nagappa, Subordinate Judge of Shimoga, in the matter of the loss of one half of Exhibit N in O.S. No. 6 of 1910-11 on the file of the Subordinate Judge's Court, Bangalore.

The Chief Court are of opinion that the conduct of Mr. Nagappa in not holding at once a departmental enquiry into the loss of the half paper is not satisfactory. His explanation that he does not remember the document having been shown to him in a complete form and that he therefore could not presume that it had come into court in a complete form is not acceptable The Chief Court can see no reason for not accepting the statement of Mr. Ramaswamy Chetty, Advocate, that he and showed the document complete to the Subordinate Judge at an early stage of the case. The loss of half of the document clearly occurred when the document was in the custody of the Court, and it was Mr. Nagappa's duty to hold a searching enquiry into such a scandalous affair Under all the circumstances, the Chief Court think sufficient to express their displeasure and regret Mr. Nagappa did not at the time realise his responsibilities in the matter and that he subsequent attempted to defend this slackness instead of frankly acknowledging it.

(Sd) V. Raja Rama Rao
Regr.

To the Dist. Judge Shimoga
for comm. to Mr. Nagappa.
N. G. The Dist. Judge Bangalore

'Copy' Rajaratnam
Registrar

187

(114)

No. 1792 - 3
123

PROCEEDINGS OF THE CHIEF COURT OF MYSORE.

Bangalore, dated 31st October 1913.

Read correspondence ending with letter No. 2657/453 dated the 5th June 1913, from the District Judge of Shimoga, submitting the explanation of Mr. Nagappa, Subordinate Judge, in the matter of the loss of the suit pro-note in O.S. No. 290 of 1910-11 on the file of the Subordinate Judge's Court, Bangalore.

On a perusal of the whole file and full consideration of the evidence contained in it, the Chief Court are clearly of opinion that there is no foundation for the allegation that Mr. Nagappa hushed up the matter of the loss of the pro-note, or that he attempted to screen the real culprit. It is quite evident from the varying statements made by James Pillay that his evidence is worth nothing, and Nandappa and Bhojappa are also witnesses whose evidence is contradicted by the facts. The Chief Court disagree entirely with the Subordinate Judge of Bangalore (Mr. Gopaliengar) in appreciation of the evidence taken by him and cannot find that any - blame or suspicion attached to Mr. Nagappa in this - matter.

The papers will be recorded.

(sd) V. A. Raja Ratna Mudaliar
Registrar.

To,

The District, Judge of Bangalore.

The District Judge of Shimoga for communication to Mr. Nagappa.

Copy

H. G.

Registrar.

187.

Two drafts

G. R. S. 26]

27/4

(20)

ch File No. 110-12

Serial No. 2

Diary No. of letter replied to

Notification J 3113
C

General and Revenue Secretariat

( )

the 191 .

Date of issue 27-4-14

Signed by Mr D. M. Narasinga Rao

~~To~~

Mr B. Nagappa

Subordinate Judge, Sub Pro Tem Shimoga

& Mr B. Subbanna BA BL

Subordinate Judge Sub Pro Tem,

Mysore are confirmed in

their appointments with

effect from the 7th November

1912 & 26th November 1913

respectively

Do.

Gazette of 30th April 1914
Pt I page 346.

Date on which 3 years' probation expired is taken as the due date

Draft 7/4

25-4-14
RG

To

7/4

SOR Draft 7/4 Secy to Govt

To the Compiler, Mysore Gazette overt publication in the Gazette.

P. T. O.

SUBJECT.

Copy forwarded to the Registrar of the Chief Court for information

B. O.

Secretary to Govt

J 3114 dt 27-4-11

[1] List of enclosures.

Copied by

Examined by

GPB—25,000—8-8-11.

G. R. S. 26]

Confidential
Two drafts

Ch File No. 110-22
Serial No. —

Diary No. of letter replied to———

Draft D. O

No. J 3115

General and Revenue Secretariat

( )

, *the* 191 .

To

The Registrar of

the Chief Court.

Date of issue 27-4-14

Signed by Mr. B. N. Narasinga Rau

Dear Sir

I am desired to invite reference to this office No dated dated forwarding a copy of the note Govt Notfn confirming Mr B. Nagappa as Sub Judge and to request that, if the Judges see no objection, he may be confidentially

over.

SUBJECT.

warned that should he

fine room again to complaints
as regards his office work and conduct
in future ~~as he has done in~~
~~the past~~, he ~~will be~~ is liable
to be superseded. ~~in the~~
~~Service~~

25-4-44.
AB

I have etc

JD 7/4 See 4 to Post Draw 7/4

List of enclosures.

Copied by

Examined by 27/4/44

GPB—25,000—8-8-11.